

HIGH COURT OF CHHATTISGARH, BILASPUR
WPS No. 5900 of 2010

- Kishun Singh Dhankar S/o Nathuram Dhankar, aged about 75 years, R/o Village-Barbaspur, Post-Gandai, Tahsil-Chhuikhadan, District-Rajnandgaon (C.G.)

---- **Petitioner**

Versus

1. State of Chhattisgarh, Through Secretary, Agriculture Department, D.K.S. Bhawan, Raipur, District Raipur (C.G.)
2. Additional Secretary, General Administration Department, (Member Secretary Pension Nirakran Samiti), Raipur, District Raipur (C.G.)
3. The Assistant Director, Treasury Accounts and Pension, Rajnandgaon, District Rajnandgaon (C.G.)
4. The Managing Director, Divisional Office, Bank of Maharashtra, Lokmangal Shivaji Nagar, Pune (M.H.)
5. The Branch Manager, Bank of Maharashtra, Branch Gandai, District Rajnandgaon (C.G.)

---- **Respondents**

For Petitioner	:	None.
For State	:	Shri B. Gopa Kumar, Deputy Advocate General.
For Bank	:	Shri Anand Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23.03.2018

1. The challenge in the present writ petition is the order passed by the High Power Retrial Dues Committee; hereinafter referred to as 'the Committee', constituted by the State Government dealing with the grievances of the pensioners.
2. The challenge by the Petitioner, is that the Petitioner subsequent to his attaining the age of 70 years he was entitled for the full pension as the commuted pension was to be i.e. covered only till he attained the age of 70 years. The Petitioner attained the age of 70 years on 06.05.2002 and subsequently he has not been granted the full pension.

3. Perusal of the record would show that the present petition is a second round of litigation. The Petitioner on earlier round of litigation had filed WP(S) No.2493 of 2009 which stood disposed of on 08.07.2009, whereby the case of the Petitioner was sent to the Committee constituted in this regard. It was ordered that the Petitioner also would be granted opportunity of hearing by the Committee while passing the order. Thereafter, the matter was placed before the Committee, which in turn has passed the impugned order dated 21.08.2009, which is under challenge in the present writ petition. Perusal of the record would show that the Petitioner himself did not appear before the Committee rather he has sent his son, namely, Sewak Ram Dhankar before the Committee and before the Committee it was the contention of the claimant that the Petitioner is not being provided pension as per the order of the Treasury Officer dated 19.02.2004. The Committee submits that they had called upon the Officer from the Bank, Shri Gopal Singh Mehra, the Branch Manager of the Bank of Maharashtra, and who had stated before the Committee that the Petitioner infact is being provided with the pension as per the order of Treasury Officer dated 19.02.2004.
4. The perusal of the record also reveals that the Treasury Officer in his order dated 19.02.2004 had specifically ordered to the Bank Manager that since the Petitioner had attained the age of 70 years on 06.05.2002, he shall be paid the enhanced pension and the enhanced pension was of Rs.240/- more than that he was earlier getting. Further Annexure P/6 is again document annexed alongwith the petition which has been issued by the Treasury Officer, wherein it has been specifically held that subsequent to 06.05.2002, the Petitioner who was earlier drawing the pension of Rs.1,986/- would be entitled for the enhanced pension of Rs.2,226/- per month and it was ordered accordingly.
5. Given the aforesaid factual matrix, this Court does not find any further grievance of the Petitioner left to be adjudicated upon and the writ petition

accordingly stands disposed of. However, it is directed that if for any reason the authorities have not paid the Petitioner the pension of Rs.2,226/-, they shall ensure that the Petitioner is paid the pension of Rs.2,226/- per month with effect from 06.05.2002 onwards and also all subsequent revisions, if applicable to the Petitioner.

6. The writ petition is thus partly allowed, stands disposed of.

Sd/-
(P. Sam Koshy)
JUDGE